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Swartland forward-thinking 2040 -
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Swartland vooruitdenkend 2040 -
waar mense hul dromë kan uitleef!

File ref: 15/3/4-14/Erf 631, 632
15/3/5-14/Erf 631, 632
15/3/10-14/Erf 631, 632
15/3/14-14/Erf 631, 632

Enquiries:
A. de Jager

18 June 2024

CK Rumboll and Partners
P.O. Box 211
MALMESBURY
7299

By Registered Mail

Dear Sir/Madam

PROPOSED DEPARTURE, REMOVAL OF RESTRICTIVE CONDITIONS, CONSENT USE AND EXEMPTION FROM APPROVAL FOR SUBDIVISION AND CONSOLIDATION, ON ERF 631 AND ERF 632, YZERFONTEIN

Your application, with reference YZE/12284/MC, dated 20 March 2024, on behalf of R.A. Engelbrecht and S.F. Duschier, refers.

- A. By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for the amendment of restrictive condition III.6.(b) in Title Deed T57166/2001, of Erf 632, Yzerfontein, is approved in terms of Section 70 of the By-Law;

1. TOWN PLANNING AND BUILDING CONTROL

- a) Condition III.6.(b) in Title Deed T57166/2001 that reads as follows:

"...No building or structure or any portion thereof except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf, nor within 3 metres of the rear or 1,5 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority – ..."

be amended to read as follows:

"...No building or structure or any portion thereof except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf, provided that with the consent of the local authority – ..."

- b) The applicant/owner applies to the Deeds Office to amend the Title Deed in order to reflect the removal of the restrictive conditions;

Rig asseblief alle korrespondensie aan:
Die Munisipale Bestuurder
Privaatsak X52
Malmesbury 7299
Darling Tel: 022 492 2237

Tel: 022 487 9400
Faks/Fax: 022 487 9440
Epos/Email: swartlandmun@swartland.org.za

Moorreesburg Tel: 022 433 2246

Kindly address all correspondence to:
The Municipal Manager
Private Bag X52
Malmesbury 7299
Yzerfontein Tel: 022 451 2366

- c) The following minimum information must be provided to the Deeds Office in order to consider the application, namely:
 - i. Copy of the approval by Swartland Municipality;
 - ii. Original Title Deed, and
 - iii. Copy of the notice which was placed by Swartland Municipality in the Provincial Gazette;
- d) A copy of the amended Title Deed be provided to Swartland Municipality for record purposes.

- B. By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for building line departure on Erf 632, Yzerfontein, is approved in terms of Section 70 of the By-Law;

- C. By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for a consent use in order to operate a guesthouse on Erf 632, Yzerfontein, is approved in terms of Section 70 of the By-Law;

Approvals B. and C. above be subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) The building line departure authorises the encroachment of the 1,5m western side building line to a distance of 0m from the property boundary;
- b) The departure be restricted to the portion of the existing dwelling that already encroaches on the building line, as presented in the application;
- c) The consent use authorises a guesthouse as presented as follows in the application:
 - i) 6 x guest bedrooms for occupation by a maximum of 14 paying guests at any time;
 - ii) 4 x en-suite bathrooms;
 - iii) 1 x shared bathroom;
 - iv) 1 x shared water closet;
 - v) 1 x kitchen;
 - vi) 1 x laundry;
 - vii) 1 x dining room;
 - viii) 1 x lounge/living room;
 - ix) 1 x bar;
 - x) 1 x garage and entrance hall;
- d) A minimum of six (6) on-site parking bays be provided, be finished in a permanent dust free surface, whether it be tar, concrete, paving or any other material, as approved by the Director: Civil Engineering Services beforehand, and the parking bays be clearly demarcated;
- e) Building plans indicating the change in use, i.e. guest room etc. be submitted to the Senior Manager: Development Management for consideration and approval;
- f) A contact number of the owner be displayed conspicuously on the premises at all times for emergency and/or complaint purposes;
- g) A code of conduct for guests be submitted to the Senior Manager: Development Management, for consideration and approval;
- h) The owner/developer be responsible for enforcing the code of conduct to the satisfaction of the Division: Law Enforcement;
- i) All amenities and provision of meals be for the sole benefit of bona fide lodgers. The approval does not authorise the use of the guesthouse or its amenities by individuals who are not bona fide lodgers as a venue for parties, weddings or any other such use restricted by the By-Law;
- j) A register of guests and lodgers be kept and completed when rooms are let, and the register be produced for inspection on request by a municipal official at any time;
- k) Guest rooms not be converted to, or used as separate dwelling units;

- l) Application be made to the Senior Manager: Development Management for the right to construct or affix and display any signage;
- m) Any signage be limited to 1m² in area and may not project over a public street;
- n) A Certificate of Compliance be obtained from the West Coast District Municipality for the operation of the guesthouse;
- o) A trade licence be obtained from Swartland Municipality for the operation of the guesthouse;
- p) Bona fide lodgers of the guesthouse be restricted to parking on-site and no guesthouse lodgers be permitted to park on street;
- q) Should the applicant fail to take effective steps to the satisfaction of the Senior Manager: Development Management, to ensure proper compliance with the provisions of the approved code of conduct, or should unauthorised land uses on the property occur, the approval for the consent use may be withdrawn after following due process;

2. WATER

- a) The existing connection be used and no additional connections be provided;

3. DEVELOPMENT CHARGES

- a) The owner/developer is responsible for the development charge of R8 147,52 towards bulk water supply. The amount is due to the Swartland Municipality, valid for the financial year of 2023/2024 and may be revised thereafter (mSCOA: 9/249-176-9210);
- b) The owner /developer is responsible for the development charge of R740,00 towards bulk water distribution. The amount is due to Swartland Municipality, valid for the financial year of 2023/2024 and may be revised thereafter (mSCOA 9/249-174-9210);
- c) The owner/developer is responsible for the development charge of R3 709,72 towards sewerage. The amount is due to the Swartland Municipality, valid for the year of 2023/2024 and may be revised thereafter (mSCOA 9/240-184-9210);
- d) The owner/developer is responsible for the development charge of R9 001,74 towards waste water treatment. The amount is due to the Swartland Municipality, valid for the financial year of 2023/2024 and may be revised thereafter (mSCOA 9/240-183-9210);
- e) The owner/developer is responsible for the development charge of R2 508,84 towards roads. The amount is due to Swartland Municipality, valid for the financial year of 2023/2024 and may be revised thereafter. (mSCOA 9/247-188-9210);
- f) The Council resolution of May 2023 provides for a 60% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2023/2024 and may be revised thereafter.

- D. The subdivision of Erf 631, Yzerfontein (932m² in extent), in accordance with Subdivision and Consolidation Plan no. YZE/12284/MC, dated March 2024, into the following portions:

- a) Portion A: 15m² in extent; and
- b) The Remainder: 917m² in extent;

complies with the requirements of Section 34 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) and is thus exempted from approval by Swartland Municipality;

- E. The consolidation of Erf 632, Yzerfontein (892m² in extent), with the newly created Portion A of Erf 631, Yzerfontein (15m² in extent) in order to correct the position of the boundary line between the two properties, in accordance with Subdivision and Consolidation Plan no. YZE/12284/MC, dated March 2024, complies with the requirements of Section 34 of Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020) and is thus exempted from approval by Swartland Municipality;

GENERAL

- a) The approval does not exempt the owner/developer from compliance with all legislation applicable to the approved land use;

- b) Should it be determined necessary to extend or upgrade any engineering service in order to provide the development with services, it will be for the account of the owner/developer;
- c) The approval is valid for a period of 5 years, in terms of section 76(2) of the By-Law, from the date of decision. Should an appeal be lodged, the 5 year validity period starts from the date of outcome of the decision for or against the appeal. All conditions of approval be implemented before the new land use comes into operation/or the occupancy certificate be issued and failing to do so will cause the approval to lapse. Should all conditions of approval be met within the 5 year period, the land use becomes permanent and the approval period will no longer be applicable.
- d) The applicant/objector be informed of the right to appeal against the decision of the Municipal Planning Tribunal in terms of section 89 of the By-Law. Appeals be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Yzerfontein, 7299 or by e-mail to swartlandmun@swartland.org.za, within 21 days of notification of decision. An appeal is to comply with section 90 of the By-Law and is to be accompanied by a fee of R5 000,00 in order to be valid. Appeals that are received late and/or do not comply with the aforementioned requirements, will be considered invalid and will not be processed.

Yours faithfully


MUNICIPAL MANAGER
Via Department Development Services

HLO/ds

Copies :

Surveyor General, Private Bag X9028, Cape Town, 8000
Director : Civil Engineering Services
Director : Financial Services
Building : Control Officer
Stefan F Duscher, 50 Versfeld Street, Yzerfontein, 7351. bookings@swetaway.co.za
R A Engelbrecht, Posbus 97, Yzerfontein, 7351

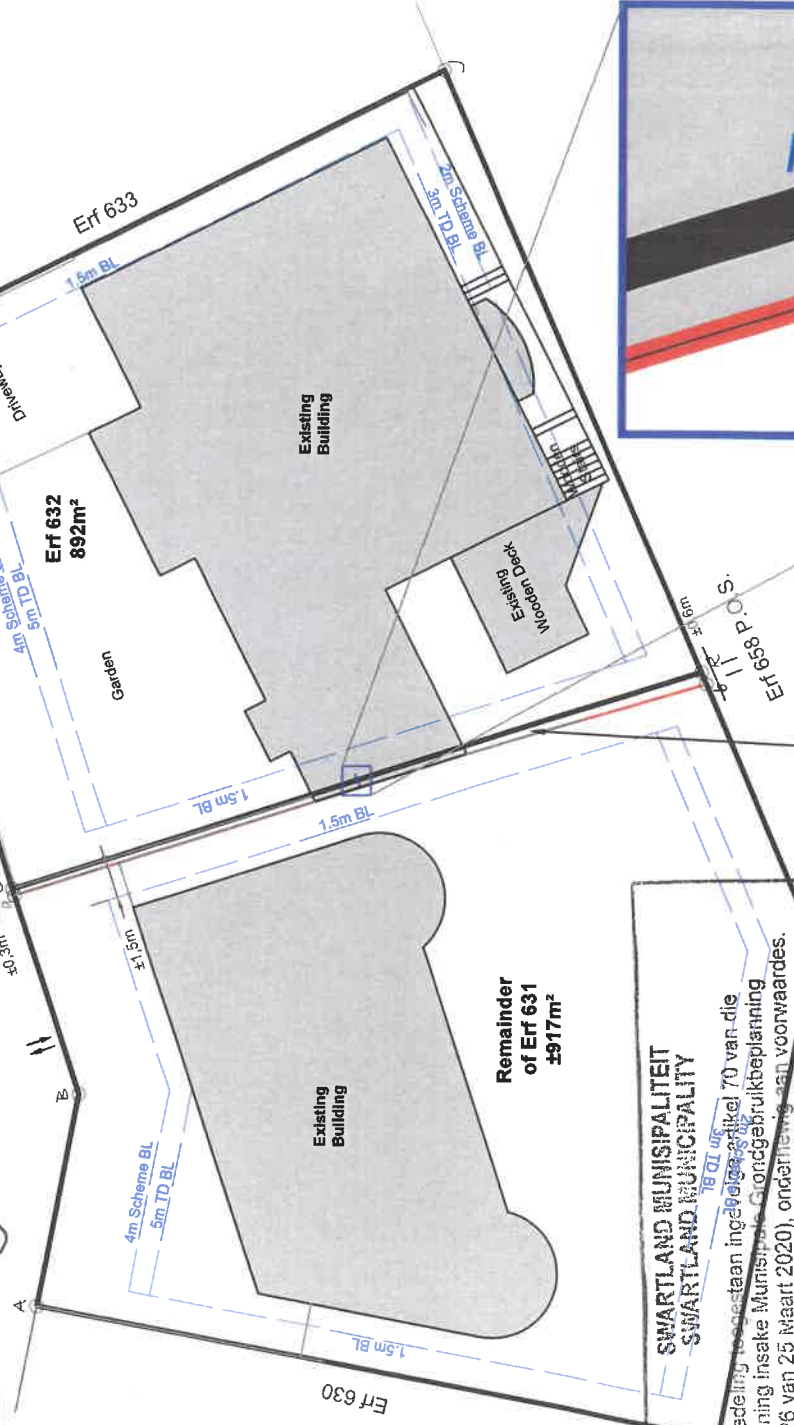
SWARTLAND MUNISIPALITEIT
SWARTLANDS SUBDIVISION & CONSOLIDATION PLAN: ERVEN 631 & 632, YZERFONTEIN

Konsolidasie toegestaan ingevolge artikel 70 van die Verordening insake munisipale Grondegebruikbeplanning (PK 8226 van 25 Maart 2020) onderhewig aan voorwaardes.

Consolidation granted in terms of section 70 of the Municipal Land Use Planning By-Law (PN 8226 of 25 March 2020), subject to conditions.

2024/06/18
DATUM/DATE

Amzaayman
MUNISIPALE BESTUURDER
MUNICIPAL MANAGER



SWARTLAND MUNISIPALITEIT
SWARTLAND MUNICIPALITY

Onderverdeling toegestaan ingevolge artikel 70 van die Verordening insake munisipale Grondegebruikbeplanning (PK 8226 van 25 Maart 2020), onderhewig aan voorwaardes.

Subdivision granted in terms of section 70 of the Municipal Land Use Planning By-Law (PN 8226 of 25 March 2020) subject to conditions.

2024/06/18
DATUM/DATE

Amzaayman
MUNISIPALE BESTUURDER
MUNICIPAL MANAGER

Portion A of Erf 631
±15m²

Remainder
of Erf 631
±917m²

ZONING I.T.O. THE ZONING SCHEME:
631 & 632: Residential Zone 1

NOTES:

Figure ABCKEF represents Erf 631, Yzerfontein, with an extent of 932m².

Figure CGHJK represents Erf 632, Yzerfontein, with an extent of 892m².

Figure aCKb represents proposed Portion A of Erf 631, measuring ±15m² to be consolidated with Erf 632.

SUBDIVISION:

Portion A	±15m²
Remainder	±917m²
ERF 631	932m²

CONSOLIDATION:

Portion A of Erf 631	±15m²
Erf 632	892m²
Consolidated Property	±907m²

LEGEND:

- Subject properties
- Existing cadastral boundaries
- Proposed Subdivision line
- Proposed Consolidation
- Building lines
- Existing Buildings
- Access

Drawing:
SUBDIVISION & CONSOLIDATION PLAN

ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING
C.K. RUMBOLD & VENNOTE
TOWN PLANNERS
PROFESSIONAL SURVEYORS
Tel: 022 - 4821845
Fax: 022 - 4871661
Email: planning@rumbold.co.za



DATE: MARCH 2024
AUTHORITY: SWARTLAND MUNICIPALITY
REF: YZE/12264MC